

### REMARKS

Applicants have carefully reviewed the Application in light of the Office Action dated June 27, 2005. Claims 1-17 are pending and stand rejected. Applicants respectfully request reconsideration and favorable action in this case.

#### Section 103 Rejections

Claims 1-3, 8, 10-11, 13-15, and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,920,701 ("*Miller*") in view of U.S. Patent No. 5,857,072 ("*Crowle*"). Applicants respectfully traverse these rejections and the assertions and holdings therein.

Applicants respectfully submit that the *Miller-Crowle* combination fails to teach, suggest, or disclose each and every limitation of the claimed invention. For example, independent Claim 1 recites, "distributing the message to an endpoint using the publish and subscribe architecture to one or more second channels selected from a second channel layer." The Office Action asserts that the slave servers 62 and 64 disclosed in *Crowle* teach this limitation. However, the slave servers 62 and 64 disclosed in *Crowle* merely prompt particular clients in LAN 63 and 65 to process broadcasted data that follows, which is not using a publish and subscribe architecture. In particular, the master server 60 transmits a message to both LAN 63 and 65 for distribution to particular clients via slave servers 62 and 64, respectively. *See Crowle*, 10:32-35. The slave servers 62 and 64 determine which clients are the intended recipients of the message and generate messages specifying the particular clients that are to accept the data to follow. *Id.* 4:29-33. Upon receipt of these messages, the particular clients are informed that the following data is of interest. *Id.* 10:49-52. As a result, the particular clients receives the data broadcasted by the slave servers 62 and 64 that follow the messages. *Id.* 10:53-63. Thus, *Crowle* fails to teach or suggest using the publish and subscribe architecture when distributing data. Accordingly, Applicants respectfully request reconsideration and allowance of Claim 1 and its dependents.

In addition, Claim 11 recites, "an application server for transmitting a message that includes a first channel selected from a first channel layer and a second channel selected from a second channel layer." The Office Action fails to cite any passage in *Crowle* that teaches or suggest "a message that includes a first channel selected from a first channel layer and a second

channel selected a second channel layer.” Accordingly, Applicants reconsideration and allowance of Claim 11 and its dependents.

In addition, Claims 4-7, 9, 12, and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Miller* in view of *Crowle*, further in view of U.S. Patent No. 6,687,731 (“*Kavak*”). Applicants respectfully traverse these rejections and the assertions and holdings therein. As discussed above, independent Claims 1 and 11 are allowable over *Miller* and *Crowle*. The Office Action fails to cite any teaching or suggestion in *Kavak* of the missing elements discussed above. Therefore, Claims 4-7, 9, 12, and 16 are allowable at least because they depend from one of allowable Claims 1 and 11. Thus, Applicants respectfully request that these rejections be withdrawn.

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CONCLUSION

Applicants have now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all Claims.

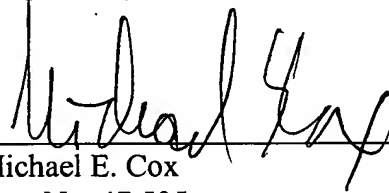
If the present application is not allowed and/or if one or more of the rejections is maintained, Applicants hereby request a telephone conference with the Examiner and further request that the Examiner contact the undersigned attorney to schedule the telephone conference.

No fees are believed to be due. However, please apply any deficiencies or any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

Date: \_\_\_\_\_

8-26-05

Respectfully submitted,



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